

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 84-89

WASTE DISCHARGE AND CLOSURE REQUIREMENTS FOR:

CITY OF ALBANY, ALBANY LANDFILL COMPANY AND  
SANTA FE LAND IMPROVEMENT COMPANY,  
ALBANY SOLID WASTE DISPOSAL SITE  
ALBANY, ALAMEDA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, (hereinafter called the Board) finds that:

1. The Albany Solid Waste Disposal Site is located on lands owned by the City of Albany (hereinafter referred to as the City) and the Santa Fe Land Improvement Company. The site was operated by the Albany Landfill Company. These three parties are hereinafter referred to as the dischargers.
2. The disposal site covers 75.1 acres adjacent to the westerly prolongation of Buchanan Street. The City owns 40.8 acres of this site and the Santa Fe Land Improvement Company owns 34.3 acres of this site. The site is bordered on the north, south and west by San Francisco Bay, as shown on Attachment A which is incorporated herein and made a part of this Order.
3. This Board adopted Resolution No. 684 on July 15, 1965 prescribing Waste Discharge Requirements for the site.
4. The site accepted only inert waste since 1975. Some nonhazardous solid waste was deposited at the City portion of the site prior to 1975. It is unknown if any waste other than inert waste was ever deposited at the Santa Fe Land Improvement Company portion of the site. The site ceased accepting any material in December 1983.
5. The entire site is underlain by more than 70 feet of relatively impermeable bay mud. Several borings drilled to depths of approximately 100 feet below MSL did not encounter any usable aquifers.
6. The City submitted a report entitled "Technical Report for Closing the Albany Landfill, City Portion" dated February 4, 1982. This report addresses final cover, site drainage and grades, stability, leachate control, flood protection and subsequent land use.
7. The report in Finding 6 above does not include the fill on the property of the Santa Fe Land Improvement Company (see Attachment A). It is the City's contention that this fill was limited to inert waste. The dischargers acknowledge that a closure plan may be required for this portion of the fill based on future investigations or monitoring.

8. The report in finding 6 above contains a proposal for the placement of a maximum of 6.3 acres of new fill into San Francisco Bay along the south, west and a portion of the northeast landfill perimeter.
9. The U. S. Army Corps of Engineers has issued a permit for the placement of clean rubble and earth fill into San Francisco Bay under Section 404 of the Clean Water Act.
10. A cost/benefit analysis prepared by the City of Albany found that the proposed fill into San Francisco Bay would have minimal water quality impact. However, there will be the adverse impact of the loss of 6.3 acres of San Francisco Bay, therefore appropriate mitigation is necessary.
11. As mitigation, the City has proposed enhancing the landfill's marsh area and breaching the dike surrounding the landfill's enclosed lagoon to return it to tidal action. Additionally, they have proposed the restoration of up to 5.1 acres of land to tidal action, depending on the amount of Bay fill actually placed (see Attachment A). This mitigation has been accepted by BCDC, the Army Corps of Engineers and the Department of Fish and Game. This proposal is acceptable to the Regional Board as adequate mitigation for the loss of 6.3 acres of San Francisco Bay.
12. The City submitted a supplement to their closure plan dated February 15, 1983 which addressed alternate methods of site closure and estimated costs.
13. The reports in findings 6 and 12 above are consistent with the closure criteria contained in Sections 2580 and 2581 of Subchapter 15 of the California Administrative Code with the exceptions that a comprehensive site monitoring program and a dynamic seismic analysis were never submitted.
14. Finding 13 above can be mitigated by the submittal of a comprehensive site monitoring program and a dynamic seismic analysis prior to commencement of closure construction activities.
15. It is not the intention of the Board to require the Santa Fe Land Improvement Company to take any closure action at this time or to assume any responsibility for the City's closure actions. However, if any water quality problems develop, all three parties will be named in any enforcement action by the Board.
16. The beneficial uses of San Francisco Bay are:
  - a. Wildlife habitat
  - b. Marine habitat
  - c. Recreation
  - d. Preservation of rare and endangered species
  - e. Fish migration and spawning
  - f. Shellfish harvesting
  - g. Industrial water supply
  - h. Navigation
  - i. Commercial and sport fishing

17. The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on July 21, 1982, and this order implements the water quality objectives in that Plan.
18. Subsequent to the modifications necessary to comply with this Order, this disposal site will meet the criteria contained in the California Administrative Code, Title 23, Chapter 3, Subchapter 15 effective on November 27, 1984 for classification as a closed Class III disposal site.
19. The Board, has notified the discharger and interested agencies and persons of its intent to issue closure requirements for the discharger and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
20. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.
21. This project involves the closure of a Class III facility with minor alterations to the land. Consequently, this project will not have a significant effect on the environment pursuant to the exemption provided in Section 15101, Title 14, California Administrative Code.

IT IS HEREBY ORDERED that the City of Albany, Albany Landfill Company and Santa Fe Land Improvement Company and any other persons who operate this site, shall comply with the following:

A. Prohibitions

1. The discharge of any waste or water that has been contaminated by waste material to surface water or groundwater is prohibited.
2. No additional hazardous, designated or nonhazardous solid wastes shall be stored or deposited on this site.
3. The dischargers shall remove and relocate any wastes which are disposed of at this site in violation of the above requirements.
4. Waste disposal and/or site closure activities shall not cause a nuisance as defined by Section 13050(m) of the Water Code.

B. Site Closure Specifications

1. All new fill shall be limited to bay mud dredged adjacent to the site perimeter, clean earth and rock and concrete rubble.
2. The portion of the site owned by the City shall be closed by the City in accordance with the report entitled, "Technical Report for Closing the Albany Landfill, City Portion" dated February 4, 1982, and the supplement to this report dated February 15, 1983.
3. Any modification in the method of closure of the Albany Landfill from that contained in the closure report referenced in Finding 6

shall be approved by the Board, unless the modifications provide for direct compliance with the provisions of Sections 2580 and 2581 of Subchapter 15 of the California Administrative Code. Such determination shall be made by the Executive Officer.

C. Provisions

1. The dischargers shall comply with all sections of this Order except site closure specification B.2. immediately upon adoption.
2. The City shall comply with specification B.2. according to the following time schedule:

<u>Task</u>	<u>Compliance Date</u>	<u>Compliance Report Date</u>
a. Submit a comprehensive site monitoring program and the results of a dynamic seismic analysis	June 1, 1985	June 1, 1985
b. Determine any modifications to the proposed method of closure (if necessary) based upon the results of the dynamic seismic analysis	June 1, 1985	June 1, 1985
c. Submit a detailed time schedule for site closure activities	June 1, 1985	June 1, 1985
d. Submit quarterly status reports until closure is completed	Beginning Sept. 1985	October 15, 1985
e. Complete final closure	October 15, 1986	November 1, 1986

The final compliance reports are to be prepared by a certified engineering geologist or registered engineer documenting that full compliance has been achieved according to the closure plan specifications.

3. This Board considers the current property owners or any new owner to have a continuing responsibility for correcting any problems associated with this solid waste disposal site during subsequent use of the land for other purposes.
4. The dischargers shall notify this Board in writing of any proposed change in ownership of this site. The current owners shall notify and provide a copy of this Order to any subsequent owner of this property or portion thereof prior to sale and submit documentation to the Board that the new owner is aware of this Order.

5. The dischargers shall file with the Board any monitoring program which may be directed by the Executive Officer.
6. The dischargers shall permit the Regional Board or its authorized representatives in accordance with California Water Code Section 13267(c).
  - a. Entry upon premises on which waste are located or in which any required records are kept,
  - b. Access to copy any records required to be kept under terms and conditions of this Order,
  - c. Inspection of monitoring equipment or records, and
  - d. Sampling of any discharge.
7. The Board's Resolution No. 684 is hereby rescinded.

I, Roger B. James, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on December 18, 1984.

ROGER B. JAMES  
Executive Officer

Attachments:

- A - Site Map
- B - Location Map
- C - Sections 2580 and 2581  
Subchapter 15  
California Administrative Code